



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

July 7, 2016

Ms. Krista Sabin
U.S. Army Corps of Engineers
4400 PGA Boulevard, Suite 500
Palm Beach Gardens, Florida 33410

**RE: Final Environmental Impact Statement (FEIS) for Southern Palm Beach
Island Comprehensive Shoreline Stabilization Project; Palm Beach
County, Florida; CEQ Number: 20160137; ERP Number: COE-E30046-FL**

Dear Ms. Sabin:

Pursuant to Section 309 of the Clean Air Act (CAA) and Section 102(2)(C) of the National Environmental Policy Act (NEPA), the U.S. Environmental Protection Agency reviewed the Final Environmental Impact Statement (FEIS) for the Southern Palm Beach Island Comprehensive Shoreline Stabilization Project Palm Beach County, Florida dated June 2016. The Proposed Southern Palm Beach Island Stabilization Project was developed by the U.S. Army Corps of Engineers (USACE), Jacksonville District, using a third-party contracting process as described in 40 CFR §1506.5. The FEIS was initiated because the USACE has received an application for a Department of the Army permit under Section 404 of the Clean Water Act (CWA) from the Town of Palm Beach and Palm Beach County (County) (SAJ 2005-07908) and is in the vicinity of the Town of Palm Beach in eastern Palm Beach County and along approximately 2.07 miles of Atlantic coastline. In response to the public notice for the Section 404 permit, the EPA also provided the USACE with comment letters pursuant to the 1992, Section 404(q) *Memorandum of Agreement between the Army Corps of Engineers and the Environmental Protection Agency*, on December 30, 2014, and January 7, 2015. Additionally, the EPA commented on the Draft EIS (DEIS) in a letter dated February 24, 2015, and assigned the DEIS a rating of EC-2 (environmental concerns with additional information requested). The EPA notes that these comments are limited to the NEPA review and not intended to be review comments on the Section 404 CWA permit.


The FEIS notes that the overall project purpose is to achieve shoreline stabilization that prevents damage to upland property during a 15-year storm event in areas with seawalls or in areas where seawalls can be state qualified and damage to habitable buildings currently without seawalls in areas where seawalls cannot be state qualified during a 25-year storm event within the southern portion of Reach 8, all of Reach 9, and the northern portion of Reach 10, in Palm Beach County, Florida. (pg. xxviii)

The Applicant's Preferred Alternative (Alternative 2) includes construction of seven low-profile panel groins placed perpendicular to the shoreline extending from the existing seawalls to the post-construction (beach re-nourishment) waterline. The FEIS evaluated the environmental effects of seven alternatives (no action and six build alternatives): 1) the No Action Alternative (Status Quo); 2) the Applicants' Preferred Alternative – Beach Fill and Dune Restoration with Shoreline Protection Structures; 3) the Applicants' Preferred Alternative without Shoreline Protection Structures, 4) The Town of Palm Beach Preferred Project and County Increased Sand Volume Project without Shoreline Protection Structures; 5) The Town of Palm Beach Increased Sand Volume and County Preferred Project; 6) The Town of Palm Beach Increased Sand Volume Project and County Increased Sand Volume without Shoreline Protection Structures Project; and 7b) The Town of Palm Beach Increased Sand Volume with Two Shoreline Protection Structures (The Coalition to Save Our Shoreline, Inc. (SOS) Alternative) and the County Preferred Project. The EPA notes that the USACE did not select a preferred alternative.

The EPA notes that most of our concerns outlined in our February 24, 2015, DEIS comment letter were not fully addressed in the FEIS and these environmental concerns remain. Of particular concern is the duration of monitoring of the mitigation site. As previously stated in the February 24, 2015, letter, the EPA requests the standard of 5 years be used for mitigation projects. The FEIS states monitoring will be repeated for five years post-construction or until data from the biological monitoring show the reefs are trending towards success at offsetting project impacts to natural hardbottom (Appendix I, page 24). However, later in the document the FEIS states that monitoring will be conducted for 3 years post-construction, which contradicts the previous statement. The EPA is concerned that monitoring could be ceased prematurely once biological data trends incrementally toward success, which could be as soon as 1 year post-construction. Again, the EPA requests five years monitoring which is a standard mitigation practice for shoreline protection projects.

The EPA requests a copy of the Record of Decision (ROD) which identifies a preferred alternative for the proposed project, when it becomes available. Furthermore, we request that the USACE consider addressing our identified environmental concerns in the ROD as well. Please contact Ms. Jamie Higgins of my staff at (404) 562-9681 or by e-mail at higgins.jamie@epa.gov if you wish to discuss our comments in detail.

Sincerely,



Christopher A. Militscher
Chief, NEPA Program Office
Resource Conservation and Restoration
Division